

**Present- Md. Hasan Zaman, Senior Assistant Judge,
Patiya, Chattogram**

Order No- 03
Date-06.10.2024

Today, the case is taken up based on the petition filed by the plaintiff. The Learned Advocate for the plaintiff has moved an application under Section 151 of the Code of Civil Procedure (CPC) seeking a temporary injunction against Defendant Nos. 1 and 2.

Upon reviewing the records, it appears that on 22.09.2024, Defendant Nos. 1 and 2 were directed to show cause within 10 days of receiving notice regarding the temporary injunction. The Learned Advocate for the plaintiff submits that, despite receiving the notice, the defendants have delayed filing their written objection. The counsel further contends that, pending the disposal of the present petition, the defendants are attempting to forcibly enter the suit land and alter its nature and character.

Having heard the submissions of the Learned Advocate for the plaintiff, and after perusing the plaint, injunction petition, and other materials on record, including documents submitted via Firisti, I have carefully considered the matter.

On consideration of the petition for temporary injunction, the accompanying affidavit, the documents submitted, and the record, I am satisfied that the plaintiff has made out a prima facie case for trial. The apprehensions raised in the petition appear to be well-founded. If the defendants succeed in their alleged illegal actions as described by the plaintiff, it could lead to multiple legal disputes and cause the plaintiff to suffer irreparable loss and injury.

In light of the above, I find it appropriate to grant an **ad interim injunction** without hearing the defendants at this stage, in order to preserve the suit property. Any delay in granting the injunction could defeat its purpose.

Accordingly, Defendant Nos. 1 and 2 are hereby restrained from disturbing the peaceful possession of the plaintiff or altering the nature

and character of the suit property until the filing of the written objection (W/O) or until further orders of this Court.

Let this order be communicated to Defendant Nos. 1 and 2 for compliance. The plaintiff is directed to take necessary steps in this regard.

List the matter on **11.11.2024** for the filing of the written objection (W/O) and further orders.

Typed & Corrected by me.

Senior Asst. Judge
Boalkhali Asst. Judge court
Patiya, Chattogram

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